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## Burning impure sacrifice meat

The Mishna cites a dispute about where one burns sacrifice meat which became impure, whether inside or outside the Bais Hamikdash, and whether it touched a source or a derivative of impurity.

1. Bais Shamai says that all is burned inside the Bais Hamikdash except that which became impure outside by touching a source of impurity.
2. Bais Hillel says that all is burned outside, except that which became impure inside by touching a derivative of impurity.
3. Rabbi Eliezer says that something that touched a source of impurity is burned outside, and something that touched a derivative is burned inside.
4. Rabbi Akiva says that it is burned in the same place it became impure, regardless of how it became impure.

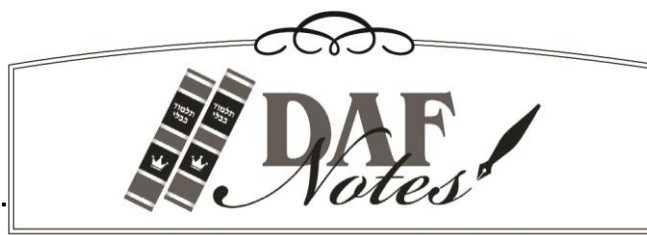
The chart below details each opinion.

Where?	In		Out	
How?	Source	Derivative	Source	Derivative
Bais Shamai	Inside		Outside	Inside
Bais Hillel	Outside	Inside	Outside	
Rabbi Eliezer	Outside	Inside	Outside	Inside
Rabbi Akiva	Inside		Outside	

### **Source vs. derivative**

The Gemora cites a dispute about the definition of a source and derivative of impurity. Bar Kapara says that a source means impurity from the Torah, while a derivative is Rabbinic. Rabbi Yochanan says that both impurities are from the Torah.

The Gemora says that Bais Shamai's position about something that became impure outside is a challenge to Rabbi Yochanan, as there would



seem to be no reason to distinguish between something impure from a source or something impure from a derivative. Bais Hillel's position about something that became impure inside is a similar challenge.

The sages only debated Bar Kapara's position. They asked how he can explain Bais Shamai's distinguishing between whether something that touched a source of impurity was inside or outside. If a source causes Torah impurity, it should have the same rule regardless of where it became impure.

The Gemora answers that this can be explained by Rabbi Akiva's principle that something impure is burned in the same place where it became impure. Bais Shamai accept that principle, but only for something that touched a source of impurity.

They also asked how he can explain Bais Hillel's distinguishing between whether something that touched a derivative of impurity was inside or outside, if both are Rabbinic impurity.

The Gemora answers that this follows Rabbi Shimon who says that any impurity must be sent out of the courtyard of the Bais Hamikdash, even a metzora's food and drink. Therefore, even though it only became Rabbinically impure, if it is outside, it may not be brought in.

### ***Placement of the limbs on the altar***

The Mishna says that limbs of the tamid offering were placed on the lower half of the altar's ramp, on the western side, those of the musaf offering were placed on the lower half, on the eastern side, and those of Rosh Chodesh were placed on the karkov on top.

### ***Consecration nowadays***

The obligation to contribute the half shekel and bring *bikurim* – *first fruit* only apply when the Bais Hamikdash is standing, but ma'aser of produce, ma'aser of animals, and the sanctity of first born animals apply regardless. If one consecrates a shekel or *bikurim* nowadays, it is nonetheless sanctified, but Rabbi Shimon says that *bikurim* are not.

### ***Karkov***

The Gemora explains that the karkov refers to the amah wide path around the perimeter of the surface of the altar, where the kohanim could walk around the pyres.

### ***Shabbos and Rosh Chodesh***

The Gemora asks which musaf comes first when Rosh Chodesh coincides with Shabbos. Rabbi Yirmiya thought that Rosh Chodesh would come first, since the braisa says that the Rosh Chodesh song was sung by the levi'im before the Shabbos one.



Rabbi Yosse challenged this argument, since Rabbi Chiya quoted Rabbi Yochanan explaining that the order of the songs was to publicize to all that it was Rosh Chodesh.

Rather, Rabbi Yosse explains that they would first sing the Rosh Chodesh song, but they would first offering the Shabbos musaf, following the general rule that something more frequent takes precedence.

### ***Rules about consecrating nowadays***

The Gemora infers from Rabbi Shimon's dispute only on the case of bikurim that he agrees that if one consecrates shekalim nowadays, it is sanctified. The Gemora cites a differing braisa in which Rabbi Shimon ben Yehuda cites Rabbi Shimon saying that neither are sanctified.

The Gemora cites a braisa which says that when a non-Jew converts nowadays must designate a 1/4 dinar for the bird sacrifices which he must bring, even though he cannot actually offer them. Rabbi Shimon says that Rabbi Yochanan ben Zakai annulled this rule, to prevent people from accidentally benefiting from this consecrated money.

The Gemora cites a similar braisa which says that one may not consecrate, pledge of value something or donate an item to the Bais Hamikdash nowadays, lest someone come to

benefit from them. If one did any of these, the items must be destroyed. If it is clothing, it must be burned, if it is animal, it must be locked up and starved to death, and if it is money, it must be thrown to the Dead sea.

The Gemora asks what happens if a convert nonetheless designated money nowadays, and answers that from the fact that Rabbi Yochanan had to annul this rule to prevent someone from incorrectly benefiting, we see that it is sanctified.

Rabbi Yehuda Intordraya asked Rabbi Yossi why we say that the money designated by the convert is sanctified, but Rabbi Shimon ben Yehuda in the braisa quotes Rabbi Shimon saying that shekalim designated nowadays are not sanctified.

He answered that one should not donate shekalim nowadays since the correct way to use shekalim is to separate new money each year, and the current shekalim will inherently be old ones. Therefore, even if one did donate them, they are not sanctified, since they are not being done in the correct manner. However, there is no similar requirement that an individual's sacrifice be new, and therefore the convert's consecration is being done correctly. Even if he would leave the shekalim in place to be used for sacrifices, perhaps the Bais Hamikdash will be built on the first of Nissan, making all earlier shekalim old and unusable for the sacrifices.

Rav Hamnuna and Rav Ada bar Ahava quote Rav who rules like Rabbi Shimon's opinion in the Mishna, that bikurim nowadays are not sanctified, but shekalim are.

**WE SHALL RETURN TO YOU, KOL HAROKIN  
AND TRACTATE SHEKALIM IS CONCLUDED**

## DAILY MASHAL

### Offering Korbanos in our Time

In Maseches Shekalim we learn about the half shekel coins that were donated by the Jewish people, in order to purchase communal korbanos to be offered in the Beis HaMikdash. These korbanos could not be donated by any single individual. They could only be purchased with money collected from the community.

This halacha found practical significance a few hundred years ago during the era of the Rishonim, when R' Ishtori HaPerachi, author of Kaftor V'Ferach, traveled from France to Eretz Yisroel. When he arrived, he investigated many of the halachos relevant in Eretz Yisroel. He questioned whether he might be able to offer korbanos in the place of the Mizbei'ach, even though there is no Beis HaMikdash today.

As a general rule, *tamei* (ritually impure) people may not enter the place of the Beis HaMikdash. However, for the sake of communal korbanos, this rule is suspended. R' Ishtori received a tradition that R' Yechiel of Paris, one of the authors of Tosefos, planned to ascend to

Yerushalayim in 5017 (1257) to offer korbanos, despite his *tumah*.

**The place of the Mizbei'ach:** Since then, many Poskim and commentaries have dealt with the issue of offering korbanos in our times, and reached the conclusion that it is forbidden to do so. One of the many reasons offered is that korbanos must be offered on the exact location of the Mizbei'ach that stood in the Beis HaMikdash. Since we are unaware of its exact location, we may not offer korbanos (see Rambam, Beis HaBechira 2:1).

**Collecting machatzis hashekel:** R' Yaakov Emden (She'eilas Yaavetz I, 89; cited also in Teshuvos Chasam Sofer Y.D., 236) raised a different objection. True communal korbanos supersede the laws of *tumah*, but they also must be purchased from the communal money, which was raised from the machatzis hashekel donations. Since R' Yechiel was certainly unable to collect machatzis hashekel from all the Jewish communities throughout the Diaspora, he could not possibly buy the communal korbanos to offer. Therefore, R' Yaakov Emden concluded that R' Yechiel intended to offer the Korban Pesach. This is the only korban offered by an individual that supersedes the laws of *tumah*. As we learned in Pesachim, if the majority of the Jewish people are *tamei*, they must offer the Korban Pesach despite their *tumah*.

Others contend that R' Yechiel thought to offer communal korbanos as well. The Rambam (KleiMikdash 8:7) rules that although an individual may not offer his own animals as communal korbanos, he may donate them to the community, and let the community offer them. R' Yechiel could have done the same. He did not need to offer the communal korbanos specifically from machatzis hashekel raised from the entire community (see She'eilas Yaavetz, *ibid*).

The Drishas Zion (33) argues that R' Yechiel could indeed have collected machatzis hashekel from whoever was willing to donate. He did not need to collect from every Jewish community throughout the world. When Ezra led the Jewish people back from Bavel, most Jews remained there. He gathered machatzis hashekel from the Jews who came with him, but the money gathered did not meet the needs of the korbanos. We see clearly that he did not gather machatzis hashekel from the Jews who remained in Bavel.

The Maharam Shik (Y.D. 214) also argues that gathering machatzis hashekel should pose no hindrance to offering communal korbanos. The Gemara (Taanis 17a) implies that the Beis HaMikdash might be built any day, and on that same day we will offer korbanos. How will we manage to collect machatzis hashekel from all Klal Yisroel in just one day? Rather, we must say that communal korbanos may be offered even

without gathering machatzis hashekel from all Klal Yisroel.

However, the Maharatz Chiyus (Teshuvos Maharatz Chiyus, Kuntrus Avodas HaMikdash) does accept R' Yaakov Emden's claim that without machatzis hashekel, we cannot offer communal korbanos.

In addition to the practical difficulties of gathering machatzis hashekel in our era, there is a halachic objection as well. The Rambam (Shekalim 1:8) writes that machatzis hashekel is only collected while the Beis HaMikdash stands. Therefore, we must conclude that R' Yechiel intended only to offer the Korban Pesach. (Many question this proof from the Rambam. Machatzis hashekel was collected only when the Beis HaMikdash stood, since we have no need of them today. However, should someone have need of them to offer communal korbanos, perhaps the Rambam would agree that they may be collected. See Shekel HaKodesh commentary on the Rambam).

In conclusion, we reiterate that there are many halachic objections against offering korbanos in our era, other than the issue of machatzis hashekel. Therefore, the Poskim have concluded that we must wait in anticipation of Moshiach's arrival, for the Beis HaMikdash to be rebuilt that we may once again offer korbanos. May it be soon and in our days, Amen.